

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

GUILLUGA PHILLIP,)
Plaintiff,)
)
v.) **Case No.**
)
RADIUS GLOBAL SOLUTIONS LLC,)
Defendant.)
)
)

COMPLAINT

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Plaintiff, Guilluga Phillip, an individual consumer, against Defendant, Radius Global Solutions LLC for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair collection practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) and 28 U.S.C §

1331. Venue in this District is proper in that the Defendant transacts business in Decatur, Dekalb County, Georgia, and the conduct complained of occurred in Decatur, Dekalb County, Georgia.
¹

III. PARTIES

3. Plaintiff is a natural person residing in Decatur, Dekalb County, Georgia.
Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Upon information and belief, Defendant is a New Jersey corporation with its principal place of business located at 7831 Glenroy Rd, Suite 250, Edina, Minnesota 55439.
5. Defendant is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempts to collect consumers' debts alleged to be due to another. The alleged debt arose from a financial obligation that was primarily for personal, family or household purposes and is therefore a "debt as that term is defined by 15 U.S.C. §1692a(5).

IV. FACTS OF THE COMPLAINT

6. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C 1692a(6).

7. On or about July 10, 2023, Plaintiff received an email from Defendant attempting to collect a debt in the amount of \$4,818.00 allegedly owed to American Express.
8. On July 12, 2023, Plaintiff sent an email response back to the defendant stating “I don’t have any money. I refuse to pay the debt” pursuant to 15 U.S.C 1692c(c).
9. On or about July 14, 2023, Plaintiff received an additional email from the Defendant as follows:

“Thank you for sharing your current situation with us. We understand how difficult these situations can be and hope it improves. We are here to help and can work with you to set up payments towards your balance.

Please email us back on emailsupport.lat@radiussgs.com or call us on 800-336-

3940 between 8:00am and 5:00pm Eastern time, Monday to Friday, and let us know if you are able to get started on a payment plan.

As of the date of this letter, you owe \$4,818.42. Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your payment.

For further information, write the undersigned or call 800-336-3940.”

This is a violation of 15 U.S.C §1692c(c).

10. On or about July 17, 2023, Plaintiff received an additional email from the Defendant as follows:

“GUILLUGA PHILLIP, our team at Radius Global Solutions understands that these are challenging times. We are here to help you find a personalized payment option to resolve your past due balance or even customize one to fit your needs. If you're ready to take the first step, view your options online or call us at 833-901-2761. ”

This is a violation of 15 U.S.C §1692c(c).

11. Plaintiff has suffered actual damages as a result of the illegal debt collection communications by Defendant in the form of anger, anxiety, decreased ability to focus on tasks while at work, frustration, amongst other negative emotions, as well as damages to FICO scores.

**V. FIRST CLAIM FOR RELIEF
15 U.S.C. §1692c(c)**

12. Plaintiff re-alleges and reincorporates all previous paragraphs as if fully set out herein.
13. Defendant violated the FDCPA.

14. Defendant's violations include, but are not limited to, the following:
Defendant violated 15 U.S.C § 1692c(c) of the FDCPA by failing to cease collection after receiving written notice.
15. As a result of the above violations of the FDCPA, Defendant is liable to Plaintiff for actual damages, statutory damages and costs.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against Defendant for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C §1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C §1692k(2);
- D. Costs pursuant to 15 U.S.C §1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,

By: /s/ Naja I. Hawk
NAJA I. HAWK
Pleadings@thehawklegal.com

**THE HAWK LEGAL
COLLECTIVE**
730 Peachtree Street NE, #570
Atlanta, GA 30308
Phone: (404) 439-9310
Counsel for Plaintiff